

3-180370

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CMA-CGM (AMERICA), INC.,

Plaintiff,

- against -

YARA NATURAL STONE  
INTERNATIONAL, INC.,

Defendant.  
-----X

07 Civ. 7805 (CHIN)

AFFIDAVIT

STATE OF VIRGINIA

INDEPENDENT CITY

}  
} ss.:  
}

RENEE WILLIS, being duly sworn, deposes and says:

1. I am the Finance – IRB Supervisor in the offices of Credit and Collection for CMA-CGM (AMERICA), INC. ("CMA"), the plaintiff in the referenced matter. As such, I am personally familiar with the facts and circumstances herein, and I make this affidavit in support of plaintiff's Motion for Final Judgment by Default against defendant YARA NATURAL STONE INTERNATIONAL, INC.

2. CMA's records show that defendant YARA NATURAL STONE INTERNATIONAL, INC. was the consignee and receiver of goods carried on plaintiff's Vessels, and is the party responsible to remit the ocean freight and related charges due as set forth in the Complaint. Such charges are true and accurate pursuant to CMA's tariff, are the responsibility of defendant YARA NATURAL STONE INTERNATIONAL, INC., and remain unpaid.

WHEREFORE, plaintiff prays for the entry of judgment by default  
against defendant YARA NATURAL STONE INTERNATIONAL, INC.

Dated: Norfolk, Virginia  
October 11, 2007



Renee Willis

Sworn to before me this  
15 day of October, 2007

Kathleen Wright - 230132  
Notary Public

My Commission Expires July 31, 2008

3-180370

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CMA-CGM (AMERICA), INC.,

07 CIV. 7805 (CHIN)

Plaintiff,

- अग्रद्वान्त -

YARA NATURAL STONE  
INTERNATIONAL, INC.,

**AFFIDAVIT FOR  
JUDGMENT BY  
DEFAULT**

Defendant.

STATE OF NEW YORK }  
COUNTY OF NEW YORK } SS.:

**ALBERT J. AVALLONE, being duly sworn, deposes and says:**

1. I am a member of the Bar of this Court and am a member of the firm of the Law Offices of Albert J. Avallone & Associates, attorneys for the plaintiff in the above entitled action, and I am familiar with all the facts and circumstances in this action.

2. I make this affidavit in support of plaintiff's application for the entry of a default judgment against defendant YARA NATURAL STONE INTERNATIONAL, INC.

3. This is an action to recover unpaid ocean freight owed by defendant to plaintiff for the transportation of certain goods of the defendant by the plaintiff.

4. Jurisdiction of the subject matter of this action is based on maritime jurisdiction.

5. This action was commenced by the filing of a Summons and Complaint. A copy of the Summons and Complaint was served on defendant YARA NATURAL STONE INTERNATIONAL, INC. on September 9, 2007 by personal service on Pedro DeSouza, person authorized to accept, and a proof of

service was filed. The defendant has not answered the Complaint and the time for the defendant to answer the Complaint has expired.

6. This action seeks judgment for the reduced, liquidated amount of \$4,840.00, plus interest at 6% from September 6, 2004, as shown by the annexed Statement, which is justly due and owing, and no part of which has been paid except as therein set forth.

7. The disbursements sought to be taxed have been made in this action or will necessarily be made or incurred herein.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: New York, New York  
October 22, 2007

  
ALBERT J. AVALLONE

Sworn to before me this  
22nd day of October, 2007

  
Notary Public

DOROTHY C. MERITE  
Notary Public, State of New York  
No. 31-4861997  
Qualified in New York County  
My Commission Expires 2/12/10

3-180370  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CMA-CGM (AMERICA), INC.,

Plaintiff,

07 CIV. 7805 (CHIN)

- against -

AFFIDAVIT

YARA NATURAL STONE  
INTERNATIONAL, INC.,

Defendant,  
-----X

STATE OF NEW YORK  
COUNTY OF NEW YORK

} SS.:  
}

ALBERT J. AVALLONE, being duly sworn, deposes and says:

I am a member of the Bar of the Court and am a member of the firm  
of the Law Offices of Albert J. Avallone & Associates, attorneys for the plaintiff. As  
such, I am familiar with the facts and circumstances in the above entitled action.

Jurisdiction of plaintiff's claim is based upon maritime jurisdiction.

In my opinion, this Court has jurisdiction over the person and subject  
matter of this action.

Dated: New York, New York  
October 22, 2007

  
ALBERT J. AVALLONE

Sworn to before me this  
22nd day of October, 2007

  
Notary Public

DOROTHY C. MERITE  
Notary Public, State of New York  
No. 31-4981997  
Qualified in New York County  
My Commission Expires 